

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
FRANCES BOLTON
Plaintiff
v.
MICHAEL ASTRUE,
Commissioner of the
Social Security Administration,
Defendant
CIVIL ACTION

FILED
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

NO. 06-5054

AND NOW, this 13 day of Sept, 2007, after careful review and independent consideration of Plaintiff's request for review, Defendant's response thereto, and review of the Report and Recommendation of Carol Sandra Moore Wells, United States Magistrate Judge, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The Plaintiff's Request for Review is GRANTED in part and DENIED in part; and
3. The case is REMANDED to the Commissioner of the Social Security Administration so that the Administrative Law Judge ("ALJ") can conduct additional proceedings consistent with the Report and Recommendation. Specifically, upon remand, the ALJ shall: (a) determine whether Plaintiff has a severe mental impairment, in doing so, the ALJ shall consider Dr. Massah's findings concerning her cognitive deficits and, if he rejects them, he shall provide an explanation for doing so; (b) determine the degree to which Plaintiff's concentration is impaired, in doing so, he shall consider Dr. Massah's findings concerning her cognitive deficits and evaluate Plaintiff's credibility concerning her impaired concentration; (c) adjust Plaintiff's residual functional capacity accordingly; (d) determine whether Plaintiff's impaired concentration prevents her from performing her past relevant work; and, (e) if so, determine whether there is other work the Plaintiff can perform given her impaired concentration and other limitations.

It is so ORDERED.

BY THE COURT:

BERLE M. SCHILLER, J.

9/13/07
mailed. self
attached